

Customer No.:31561  
Application No.: 10/709,007  
Docket NO.: 10956-US-PA

### REMARKS

#### Present Status of the Application

The Office Action rejected claims 1-3, 6-11 and 14-16 under 35 U.S.C. 102(e), as being anticipated by Jang (U.S. 2004/0227870). The Office Action also indicated that claims 4-5, 12 and 13 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant appreciates this indication of allowable subject matter. Reconsideration of those claims is respectfully requested.

#### Discussion of Office Action Rejections

The Office Action rejected claims 1-3, 6-11 and 14-16 under 35 U.S.C. 102(e), as being anticipated by U.S. 2004/0227870. Applicants respectfully traverse the rejections for at least the reasons set forth below.

In response to the rejection under 35 U.S.C. 102(e), Applicants respectfully submit an English translation of Taiwanese application No. 92112283 corresponding to this application for consideration of the foreign priority. In addition, a statement signed by translator under 37 C.F.R. § 1.55 showing that the submitted English translation is an accurate translation of this application is attached herewith. Applicants claim foreign priority benefits of Taiwanese application No. 92112283 filed on May 6<sup>th</sup>, 2003, and this application should be entitled to have the earlier filing date.

Hence, it is clearly believed that the cited reference provided by Jang (U.S.

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2004/0227870) with a filing date on Dec. 23<sup>rd</sup>, 2003 is not qualified as a prior art according to the Amendment of Patent Law by the American Inventor Protection Act of 1999 (AIPA), which renders the rejection under 35 U.S.C. 102 moot.

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**CONCLUSION**

For at least the foregoing reasons, it is believed that the pending claims 1-3, 6-11 and 14-16 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date: *Sept. 28, 2005*

Respectfully submitted,

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